IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1108 OF 2007

In

SUIT NO.809 OF 2007

Shree Balaji Tours Pvt. Ltd. & Anr. : Plaintiffs

V/s.

Maheshchandra Kothari : Defendant

...

Mr.M.A.Mahadgut for the plaintiffs.

...

CORAM : A.M. KHANWILKAR, J.

DATE : JUNE 04, 2007.

P.C.

1. In spite of service on the defendant, none appears for the defendant. The plaintiffs have already filed affidavit of service indicating that the defendant has been duly served. Even in the past at ad-interim stage, the defendant, in spite of service, did not appear before the Court. As a result, the Court proceeded to pass ad-interim order on 28.3.2007. Thus, the averments in the plaint and the affidavit-in-support of the Motion have remained uncontroverted. The plaintiffs are entitled for confirmation of the ad-interim relief which will continue till the disposal of the suit.

2. Accordingly, the Motion is made absolute for want of reply by the defendant in terms of prayer clauses (a), (b) and (c).

A.M. KHANWILKAR, J.